

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	ORDER OF
)	
or Suspension of the Educator)	SUMMARY SUSPENSION
)	
Certificate of Hubert Thomas Byrum,)	
)	
Certificate 226053)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 8, 2006. In accordance with S.C. Code Ann. §1-23-370(c) (2004), the State Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Hubert Thomas Byrum, certificate 226053, as a result of his arrest on two counts of Indecent Liberties with a Student and two counts of Sexual Battery. The Department has reason to believe that, due to the nature of the allegations of misconduct against Mr. Byrum, he may pose a threat to the health, safety, or welfare of students that may be under his instruction. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Byrum's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to send a notice to Mr. Byrum of the summary suspension, as well as the possible suspension or revocation of his educator certificate, by certified mail, return receipt requested, delivery restricted to addressee.

FINDINGS OF FACT

Mr. Byrum has over twenty years of teaching experience in North Carolina. In 2005, Mr. Byrum obtained a South Carolina certificate and is currently employed with York County School District Three, where he is assigned as a teacher at Rock Hill High School. On January 23, 2006, Mr. Byrum was arrested by the Union County North Carolina Sheriff's Office and charged with two counts of Indecent Liberties with a Student and two counts of Sexual Battery, based on

conduct that allegedly occurred when Mr. Byrum was employed with the Union County School District in Monroe, North Carolina.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that there is reason to believe that Mr. Byrum may pose a threat to the welfare of students that may be under his instruction. Accordingly, the State Board thereby summarily suspends Mr. Byrum's certificate 226053 until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By: /S/ Joe Isaac
Joe Isaac
Chair

Columbia, South Carolina
February 8, 2006